

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Certain Pipe and Tube from Argentina, Brazil, Canada, India, Korea, Mexico, Singapore, Taiwan, Thailand, Turkey and Venezuela, Inv. Nos. 701-TA-253 (Review) and 731-TA-132, 252, 271, 273, 276-277, 296, 409-410, 532-534, and 536-537 (Review)

On August 5, 1999, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)(5)). The Commission, in consultation with the Department of Commerce, grouped these reviews because they involve similar domestic like products.¹

Small Diameter Carbon Steel Pipe and Tube from Taiwan, Inv. No. 731-TA-132 (Review); Welded Carbon Steel Pipe and Tube from Turkey, Thailand, and India, Invs. No. 701-TA-253 and Inv. Nos. 731-TA-252, 271, 273 (Review); Circular Welded Nonalloy Steel Pipe from Brazil, Korea, Mexico, Taiwan, Venezuela, Invs. Nos. 731-TA-532-534, 536, 537 (Review)

With respect to the reviews on circular welded pipe and tube, the Commission determined that the domestic interested party group response to its notice of institution was adequate for each of the three domestic like products: small diameter carbon steel pipe and tube, welded carbon steel pipe and tube and circular welded nonalloy steel pipe and tube. The Commission received a consolidated response from nine domestic producers regarding these reviews. That response contained company specific data for each of these producers that collectively account for a majority of domestic production of the pertinent domestic like products.²

The Commission also found that the respondent interested party group responses were adequate and voted to conduct full reviews with respect to welded carbon steel pipe and tube from Turkey (for both antidumping and countervailing duty orders), and with respect to circular welded nonalloy steel pipe from Korea, Mexico and Venezuela. With respect to the review on Turkey, the Commission received a response from one Turkish producer that accounts for a substantial share of Turkish production of the subject merchandise. With respect to the review on Korea, the Commission received a consolidated response containing company specific data from eight Korean producers that collectively account for a majority of total Korean production of the subject merchandise. The Commission received separate responses from two Mexican producers estimated to collectively account for a majority of total production of the subject merchandise in Mexico. The Commission also received separate responses from two Venezuelan producers that collectively account for a majority of total production of the subject merchandise in Venezuela.

The Commission further found that the respondent interested party group responses were inadequate with respect to small diameter carbon steel pipe and tube from Taiwan, welded carbon steel

¹See 19 U.S.C. § 1675 (c)(5)(D); 63 Fed. Reg. 29372, 29374 (May 29, 1998).

²Two of the three domestic like products include welded carbon steel circular pipe and tube not over 16 inches in diameter regardless of wall thickness. The third domestic like product -- small diameter carbon steel pipe and tube -- is narrower and includes only heavy-walled circular pipe and tube not over 4.5 inches in diameter. The responding domestic producers were able to estimate their share of total U.S. production of the former two domestic like products but not the latter small diameter product.

pipe and tube from India and Thailand, and circular welded nonalloy steel pipe from Taiwan and Brazil, in that no responses were received from any respondent interested parties. The Commission nevertheless decided to conduct full reviews of these investigations in order to promote administrative efficiency in light of the Commission's decision to conduct full reviews with respect to welded carbon steel pipe and tube from Turkey and circular welded nonalloy steel pipe from Korea, Mexico and Venezuela.³

Oil Country Tubular Goods from Canada and Taiwan, Invs. No. 731-TA-276-277 (Review)

With respect to the review on oil country tubular goods ("OCTG") from Canada, the Commission determined that both domestic and respondent interested party group responses to its notice of institution were adequate and voted to conduct full reviews. The Commission received responses containing company specific data from five domestic producers that collectively account for a majority of domestic production of OCTG. The Commission also received responses containing company specific data from four Canadian producers that collectively account for a majority of Canadian production of OCTG. Although none of the domestic interested party responses and none of the respondent interested party responses concerning the order on Canada contained any separate data regarding drill pipe, the Commission determined to conduct full reviews for that domestic like product because of significant domestic like product issues and in order to promote administrative efficiency in light of the decision to conduct full reviews with respect to OCTG.

With respect to the review on OCTG from Taiwan, the Commission determined that the domestic interested party group response to its notice of institution was adequate. The Commission received responses containing company specific data from three domestic producers that collectively account for a majority of domestic production of OCTG. The respondent interested party group response was inadequate in that no responses were received from any interested parties. The Commission nevertheless decided to conduct full reviews in order to promote administrative efficiency in light of the Commission's decision to conduct full reviews with respect to oil country tubular goods from Canada.⁴ Although none of the domestic interested party responses concerning the order on Taiwan contained any separate data regarding drill pipe, the Commission decided to conduct full reviews for that domestic like product in order to promote administrative efficiency in light of the Commission's decision to conduct full reviews with respect to OCTG and drill pipe from Canada.⁵

Small Diameter Standard and Rectangular Pipe and Tube from Singapore, Inv. No. 731-TA-296 Review);⁶ Light-walled Rectangular Tube from Taiwan and Argentina, Invs. Nos. 731-TA-409-410 (Review)

With respect to small diameter rectangular pipe and tube from Singapore, and light-walled

³Vice Chairman Miller and Commissioner Koplan also voted to conduct full reviews because of potentially significant domestic like product issues.

⁴Commissioner Crawford dissenting.

⁵Commissioner Crawford dissenting.

⁶The original investigation covered standard pipes as well as rectangular pipes from Singapore, but the Commission only made an affirmative determination as to light-walled rectangular pipes. Accordingly, there is no order on standard pipes from Singapore.

rectangular tube from Taiwan and Argentina, the Commission determined that the domestic interested party group response was adequate.⁷ The Commission received a consolidated response from seven domestic producers that account for a significant percentage of domestic production. The Commission received company specific data from six of the seven producers.⁸ The Commission determined that the respondent interested party group response was inadequate in each review in that no responses were received from any interested parties. The Commission nevertheless voted to conduct full reviews to promote administrative efficiency in light of the Commission's determination to conduct full reviews of other orders in these grouped reviews.^{9 10}

⁷Commissioner Crawford dissenting.

⁸One of the seven domestic producers stated that it was unable to provide company specific data for the pertinent domestic like product.

⁹Chairman Bragg and Commissioner Crawford dissented because the respondent interested party responses were inadequate, and they did not find any circumstances that would warrant conducting full reviews.

¹⁰Vice Chairman Miller and Commissioner Koplan also voted to conduct full reviews because of potentially significant domestic like product issues.